

In re: Tri-State Paper, Inc., *Debtor*.

Tri-State Paper, Inc., *Plaintiff*,

*v.*

Capuano's at Yardley, Inc., *Defendant*.

**United States Bankruptcy Court  
Eastern District of Pennsylvania**

Case No. 23-13237-pmm  
Chapter 11

Adversary No. 23-00078-pmm

**Plaintiff's Request for Default Judgment Against Defendant Capuano's at Yardley, Inc.**

To the Clerk of Court:

You must enter judgment against Defendant Capuano's at Yardley, Inc. according to Fed. R. Bankr. P. 7055, Fed. R. Civ. P. 55(b)(1), and the declaration below.

Date: December 16, 2023

CIBIK LAW, P.C.  
*Counsel for Plaintiff*

By: /s/ Michael I. Assad

Michael A. Cibik (#23110)  
Michael I. Assad (#330937)  
E.J. Gruber (#334339)  
1500 Walnut Street, Suite 900  
Philadelphia, PA 19102  
215-735-1060  
mail@cibiklaw.com

**Declaration**

1. I am an attorney for Plaintiff Tri-State Paper, Inc. in the above-captioned action.
2. I am familiar with the file, records, and pleadings in this matter.
3. The Clerk entered default against the Defendant for its failure to appear, plead, or otherwise defend against the Plaintiff's complaint for judgment for affirmative relief within the time allowed.
4. The amount justly due and owing to the Plaintiff from the Defendant is \$4,206.91, plus costs in the amount of \$350.00, for a total of \$4,556.91 sum certain.
5. The Defendant is not in military service as defined by 50 U.S.C. § 3911 and is not a minor or person with special needs.
6. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Date: December 16, 2023

/s/ Michael I. Assad  
Michael I. Assad

**Certificate of Service**

Service on the Defendant is not required pursuant to Fed. R. Bankr. P. 7005 and Fed. R. Civ. P. 5(a)(2), thus no certificate of service is included.